

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAY 14 2020

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NORTHERN PLAINS RESOURCE
COUNCIL; et al.,

Plaintiffs-Appellees,

v.

UNITED STATES ARMY CORPS OF
ENGINEERS; TODD T. SEMONITE, In his
official capacity and U.S. Army Chief of
Engineers and Commanding General of the
U.S. Army Corps of Engineers,

Defendants-Appellants,

and

TRANSCANADA KEYSTONE PIPELINE,
LP; et al.,

Intervenor-Defendants.

No. 20-35412

D.C. No. 4:19-cv-00044-BMM
District of Montana,
Great Falls

ORDER

NORTHERN PLAINS RESOURCE
COUNCIL; et al.,

Plaintiffs-Appellees,

v.

UNITED STATES ARMY CORPS OF
ENGINEERS; TODD T. SEMONITE, In his
official capacity and U.S. Army Chief of
Engineers and Commanding General of the
U.S. Army Corps of Engineers,

No. 20-35414

D.C. No. 4:19-cv-00044-BMM

Defendants,

TRANSCANADA KEYSTONE PIPELINE,
LP; et al.,

Intervenor-Defendants,

and

AMERICAN GAS ASSOCIATION; et al.,

Intervenor-Defendants-
Appellants.

NORTHERN PLAINS RESOURCE
COUNCIL; et al.,

Plaintiffs-Appellees,

v.

UNITED STATES ARMY CORPS OF
ENGINEERS; TODD T. SEMONITE, In his
official capacity and U.S. Army Chief of
Engineers and Commanding General of the
U.S. Army Corps of Engineers,

Defendants,

STATE OF MONTANA; et al.,

Intervenor-Defendants,

and

TRANSCANADA KEYSTONE PIPELINE,
LP; TC ENERGY CORPORATION,

No. 20-35415

D.C. No. 4:19-cv-00044-BMM

Intervenor-Defendants-
Appellants.

Before: SILVERMAN and NGUYEN, Circuit Judges.

The court sua sponte consolidates appeal Nos. 20-35412, 20-35414, and 20-35415.

The court has received the federal defendants' emergency motion for stay in No. 20-35412.

The opposed motion to file an oversized motion for stay (Docket Entry No. 13) is granted.

The opposed request for an immediate administrative stay is denied.

The court adopts the federal defendants' proposed briefing schedule for the emergency motion for a stay. Related stay motions and amicus briefs in support of a stay are due May 15, 2020. Opposition(s) to the stay motion(s) are due May 20, 2020. Replies and amicus briefs in opposition to the stay motion(s) are due May 22, 2020.